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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION (L) NO. 2417 OF 2006

Neptune Associated Shipping
Pvt. Ltd. ... Petitioner

Versus

Bharat Petroleum Corpn. and Anr.... Respondents

Mr. D.C. Gomes for Petitioner.
Mr. S.G. Page with Mr. S.K. Page for Respondents.

CORAM: F.I. REBELLO &
ANOOP V. MOHTA,JJ.
DATED: DECEMBER 12, 2006

P.C.:

. At the hearing it transpires that the Respondent No. 1 had already encashed the bankers cheque on 30.8.2006. The order of this court dated 16.10.2006 was on the basis that the banker's cheque was not encashed. In these circumstances the respondent are directed to forthwith within two days from today to return the bank guarantee to Petitioners advocate.

. In so far as other contention of the Petitioners that the respondents have acted contrary to the terms of the agreement dated 3.8.2006, it will be open to the Petitioner to take such steps in law to which they are entitled to. It is not possible for this court to go into that issue in writ jurisdiction. Petition disposed of.

(ANOOP V. MOHTA,J.) **(F.I.REBELLO, J.)**